

HOUSE No. 2257

By Ms. Stanley of West Newbury, petition of Harriett L. Stanley relative to the rights of maternity patients to be informed of feeding options by admitting hospitals. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO MATERNITY PATIENTS' RIGHTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 *WHEREAS*, scientific data demonstrates that breastfeeding is the
2 best form of infant nutrition and provides certain health benefits for
3 both mothers and children;
- 4 *WHEREAS* the Surgeon General and the American Academy of
5 Pediatrics recommend that most babies be exclusively fed with
6 breast milk for the first 6 months of life, and continue on with breast
7 milk through the first year of life;
- 8 *WHEREAS*, the U.S. government's Healthy People 2010 goals
9 seek to increase the percentage of women initiating breastfeeding to
10 75 percent and still continuing to breastfeed when their baby is six
11 months of age to 50 percent;
- 12 *WHEREAS*, the effort to increase breastfeeding rates is a shared
13 responsibility among government, family, community, workplace,
14 healthcare professionals, and the public and private sectors;
- 15 *WHEREAS*, a mother's decision about how she feeds her baby is
16 personal and it is every mother's right to choose the best feeding
17 options for their babies and themselves, given their life circum-
18 stances;
- 19 *WHEREAS*, iron-fortified infant formula is a safe and recom-
20 mended alternative to breast milk within the first twelve months of
21 life.
- 22 The General Court hereby finds that it shall protect the ability of
23 mothers to receive complete and balanced information on all infant
24 feeding options available before giving birth, in the hospital and

25 after leaving the hospital. Further, the General Court finds it is every
26 mother's right to choose the best feeding options for their babies and
27 themselves.

28 Section 70E of Chapter 111 of the General laws, as appearing in
29 the 2004 Official Edition, is hereby amended by inserting, after the
30 7th paragraph, the following new paragraph:—

31 Every maternity patient, at the time of admission, shall have the
32 right to be informed and receive complete information and materials,
33 support and counsel from an admitting hospital on all infant feeding
34 choices. When a maternity patient chooses a method of infant
35 feeding, said choice shall be supported and counseled. Health care
36 providers and maternity patients shall have access to infant feeding
37 materials and educational information, including, but not limited to,
38 breast pumps, feeding supplies and bottles, infant formula samples
39 and preparation instructions. Further, sample formula and formula
40 equipment shall be distributed to a breastfeeding maternity patient
41 only when an individual physician order is written or on request of
42 the maternity patient.